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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	No. CR-10-0850-CW
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING HEARING SET FOR
v.	)	DECEMBER 22, 2010, TO JANUARY 6,
	)	2011, AND EXCLUDING TIME FROM
JAVIER GUTIERREZ-CHAVEZ,	)	SPEEDY TRIAL ACT CALCULATION
	)	
Defendant.	)	

Defendant Javier Gutierrez-Chavez is scheduled to appear on the above-entitled case before the Hon. Donna M. Ryu on Wednesday, December 22, 2010, for status. As additional discovery and investigation are required, the parties respectfully request that this court: (1) continue the hearing scheduled for December 22, 2010, to January 6, 2011, at 9:30 a.m. before the Hon. Donna M. Ryu, and (2) exclude the time from December 22, 2010, to January 6, 2011, from the Speedy Trial Act calculation pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B) for effective preparation of counsel. Counsel for the defendant continues to review discovery and additional research and investigation in this case.

As such, the parties stipulate, and request that the Court find and hold as follows:

1. That the hearing scheduled for Wednesday, December 22, 2010, in the above-

STIPULATION AND ORDER

1 entitled cases, be continued to Thursday, January 6, 2011, at 9:30 a.m. before the Hon. Donna M.  
2 Ryu.

3 2. Given the circumstances, the ends of justice served by excluding the period from  
4 December 22, 2010, to January 6, 2011, from Speedy Trial Act calculations outweighs the  
5 interests of the public and the defendant to a speedy trial by allowing time for the defense to  
6 effectively prepare the case, in accordance with 18 U.S.C. § 3161(h)(7)(A) and (B).

7 3. Accordingly, with the consent of both parties, the Court orders that the period  
8 from December 22, 2010, to January 6, 2011, be excluded from Speedy Trial Act calculations,  
9 pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B).

10 STIPULATED:

11  
12 DATED: \_\_\_\_\_

\_\_\_\_\_  
/s/  
JOYCE LEAVITT  
Attorney for Defendant Javier Gutierrez-Chavez

13  
14  
15 DATED: \_\_\_\_\_

\_\_\_\_\_  
/s/  
TREVOR L. RUSIN  
Special Assistant United States Attorney

16  
17 IT IS SO ORDERED.

18  
19 DATED: 12/17/2010

  
\_\_\_\_\_  
HON. DONNA M. RYU  
United States Magistrate Judge